# GOVERNMENT OF INDIA
# LABOUR AND EMPLOYMENT
# LOK SABHA

UNSTARRED QUESTION NO:3576
ANSWERED ON:21.12.2015
Vacancies in Labour Courts
Chowdhary Shri Pankaj;Dubey Shri Nishikant ;Raj Dr. Udit;Rao Shri Rayapati Sambasiva;Vichare Shri Rajan Baburao

**Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:**

(a)the number of labour courts/tribunals set up across the country, State/UT-wise;
(b)the details of the cases pending in these courts for the last three years, State/UT-wise including Maharashtra and the reasons for the delay in settlement;
(c)whether the number of labour courts and tribunals working in the country are adequate to take care of the labour disputes and if so, the details thereof and if not, the steps being taken by the Government to set up more such courts/tribunals;
(d)the details of vacancy of judges in these courts/tribunals, State/UT-wise and the remedial steps being taken in this regard; and
(e)whether instances have been reported whereunder the orders of the
tribunals are not being complied with by the employers and if so, the reaction of the Government thereto?

## Answer

MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT
(SHRI BANDARU DATTATREYA)

(a) to (c): As per the provisions of Industrial Disputes Act, 1947, the Central Government has set up 22 Central Government Industrial Tribunals-cum-Labour Courts (CGIT-cum-LCs) in various states for resolution of industrial disputes arising in Central Sphere. Out of these, two CGIT-cum-LCs at Mumbai and Kolkata also function as National Industrial Tribunal (NIT).The list of CGIT-cum-LCs is at Annexure I.
The details in respect of Labour Courts and Industrial Tribunals falling in the State Sphere are not maintained centrally.
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The details of cases pending in CGIT-cum-LCs and NITs for the year 2013-14, 2014-15 and 2015-16 (upto November, 2015) are at Annexure II, III& IV respectively.
The reasons for pendency of cases, inter alia, include:
(i) Absence of affected parties at the time of hearing;
(ii) Seeking of frequent adjournments by the parties to file documents;
(iii) Parties approaching the High Courts challenging orders of reference issued by the appropriate government as well as orders issued by the Tribunals on preliminary points;
(d): The details of the vacant posts of Presiding Officers in CGIT-cum-LC are given as under:

i. Presiding Officer, CGIT-cum-LC, Bhubaneswar.
ii. Presiding Officer, CGIT-cum-LC, Bangalore.
iii. Presiding Officer, CGIT-cum-LC No.2, Dhanbad.

Offer of appointment has already been issued to the selected candidates for the post of Presiding Officer at CGIT-cum-LC, Bhubaneswar and Bangalore. The applications of suitable candidates for the post of Presiding Officer of CGIT-cum-LC No.2, Dhanbad have been received and under process.

(e): Orders passed by the Central Government Industrial Tribunals (CGIT-cum-LCs) are notified in the official gazette and are binding on the employers. In case an award is not implemented, the worker can approach the Labour Department of the appropriate Government for implementation of the Award. The implementing authority, after following due process of law, prosecutes the employers under section 29 of the Industrial Disputes Act, 1947 for not implementing the Award/Order of the CGIT-cum-LCs.

Further, Section 11 of the Industrial Disputes Act, 1947 has been amended whereby every award made, order issued or settlement arrived at by or before Labour Court or Tribunal or National Tribunal shall be executed in accordance with the procedure laid down for execution of orders and decree of a civil Court under order 21 of the Code of Civil Procedure, 1908. Also, the Labour Court or Tribunal or National Tribunal shall transmit any award, order or settlement to a Civil Court having jurisdiction and such Civil Court shall execute the award, order or settlement as if it were a decree passed by it.
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